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UTILITY PATENT APPLICATION TRANSMITTAL

<i>Address to:</i> Box PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	<i>Attorney Docket No.</i> <i>Inventor(s) or Appln. Identifier</i>	RPC 0598 PUS Philip C. Hwang
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1. This application entitled Reusable Produce Crate is:

- a. A new application under 37 C.F.R. § 1.53(b).
- b. A continuation divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/523,622 filed on March 13, 2000, entitled Reusable Produce Crate.
- c. A new utility application which claims the benefit of provisional application Serial No. _____, filed on _____.

Application elements and other attached papers:

- 2. Specification (including Claims and Abstract) [Total Pages 20]
- 3. Drawings (informal / formal) [Total Sheets 9]
- 4. Oath or Declaration
 - a. Newly-executed
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
- 5. Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 6. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

Express
Mail Label No. EV 011 637 218 US

Angelika Phillips
(Type or print name of person mailing paper)

Date of Deposit: January 9, 2002

Angelika Phillips
(Signature of person mailing paper)

7. Preliminary Amendment:

- a. A Preliminary Amendment is attached. FOR PURPOSES OF PUBLICATION, THE CLAIMS PRESENTED IN THE ATTACHED PRELIMINARY AMENDMENT HAVE BEEN INCORPORATED INTO THE DIVISIONAL APPLICATION AS FILED.
- b. Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- c. Please amend the specification by inserting before the first line the following sentence:
 "This is a _____ continuation divisional of copending application(s) serial number 09/523,622 filed on March 13, 2000."
- d. A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. Applicant claims small entity status.
- b. Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	26 -20 =	6	x 18.00	108
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	3 -3 =	--	x 84.00	--
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. §1.16(d))			280.00	--
BASIC FEE (37 C.F.R. § 1.16(a))				740.00
TOTAL OF ABOVE CALCULATIONS				848.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				--
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				--
TOTAL				848.00

10. A check in the amount of \$848.00 is enclosed.11. The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978:

- a. Fees required under 37 C.F.R. § 1.16.
- b. Fees required under 37 C.F.R. § 1.17.

12. Maintenance of Copendency of Prior Application

A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

13. An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:
- a. Form PTO/SB/08A and B (2 sheet(s))
 - b. Copies of references cited
14. Certified copy of priority document(s)
15. Nonpublication Request Under 37 C.F.R. § 1.213(a)
16. Request for Early Publication Under 37 C.F.R. § 1.219
17. Return Receipt Postcard
18. Other: _____

19. An Assignment of the invention to Rehrig Pacific Company
having an address of 4010 East 26th Street, Los Angeles, CA 90023
- a. is attached.
 - b. was recorded on October 27, 1998 at Reel 9581, Frame 0141.
 - c. Applicant requests that the above assignee information be published with the application.
20. The power of attorney in the prior application is to:

Konstantine J. Diamond 39,657
Name of Attorney of Record Reg. No.

- The power appears in the original papers in the prior application.
- The power does not appear in the original papers, but was filed on April 28, 1999.
- A new power has been executed and is attached.

21. Correspondence Address: Please address all future communications to:

Konstantine J. Diamond,
4010 East 26th Street
Los Angeles, CA 90023
Telephone: (323) 262-5145 / Facsimile: (323) 269-8506

Respectfully submitted,

Philip C. Hwang

Stephanie M. Mansfield
Name: Stephanie M. Mansfield
Registration No.: 43,773

- Attorney or agent of record
 Filed under Rule 34(a)

Date January 9, 2002